

Regular Session, 2009

HOUSE BILL NO. 162

BY REPRESENTATIVES SAM JONES AND CHAMPAGNE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

NATURAL RESOURCES DEPT: Creates the Lake Fausse Point and Grand Avoille Cove
Advisory Board

1 AN ACT

2 To enact R.S. 30:2000.13 and R.S. 36:359(B) and 917, relative to the Atchafalaya Basin
3 Program; to create an advisory board in the Department of Natural Resources to
4 advise the secretary regarding the Lake Fausse Point and Grand Avoille Cove area;
5 to provide relative to board composition, meetings, and functions; and to provide for
6 related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 30:2000.13 is hereby enacted to read as follows:

9 §2000.13. Lake Fausse Point and Grand Avoille Cove Advisory Board

10 A. The Lake Fausse Point and Grand Avoille Cove Advisory Board,
11 hereafter in this Section referred to as the board, is hereby created to advise the
12 secretary on matters pertaining to the preservation of the Lake Fausse Point and
13 Grand Avoille Cove area and to the development of recreational opportunities in the
14 area.

15 B.(1) The commission is comprised as follows:

16 (a) The member of the Louisiana House of Representatives representing
17 House District Number 49 or his designee.

18 (b) The member of the Louisiana House of Representatives representing
19 House District Number 50 or his designee.

20 (c) The member of the Louisiana Senate representing Senate District
21 Number 21 or his designee.

1 (d) The member of the Louisiana Senate representing Senate District
2 Number 22 or his designee.

3 (e) Two members of the Chitimacha Tribe appointed by the governing
4 authority of the tribe.

5 (f) One member appointed by the mayor of Baldwin subject to confirmation
6 by the governing authority of Baldwin.

7 (g) One member appointed by the mayor of Jeanerette subject to
8 confirmation by the governing authority of Jeanerette.

9 (h) The member of the St. Mary Parish governing authority representing
10 Council District Number 1 or his designee.

11 (i) The member of the Iberia Parish governing authority representing Council
12 District Number 11 or his designee.

13 (j) The Eagle Point Park Committee shall appoint two of its members to
14 serve on the board.

15 (k) The members of the Legislature of Louisiana referenced in
16 Subparagraphs (a) through (d) of this Paragraph shall collectively appoint one
17 licensed commercial fisherman.

18 (l) The members of the Legislature of Louisiana referenced in Subparagraphs
19 (a) through (d) of this Subsection shall appoint one member from a list of three
20 nominations submitted by the local chapter of Ducks Unlimited.

21 (m) The governing authority of the St. Mary Parish Consolidated Water and
22 Sewer District of Charenton shall appoint one of its members to serve on the board.

23 (n) The lieutenant governor, the secretary of the Department of Wildlife and
24 Fisheries, and the secretary of the Department of Natural Resources may each
25 designate an individual to serve as a nonvoting member of the board.

26 (2) The term of each appointed member shall be concurrent with the term of
27 the respective appointing authority.

28 (3) The board shall elect from its membership a chair, a vice chair, and other
29 officers as it deems appropriate.

1 (4) The board shall hold regular meetings as provided by its bylaws and may
2 hold special meetings upon the call of its chair or vice chair or upon the call of a
3 majority of its members. The board shall meet not less often than quarterly but not
4 more often than monthly. Meetings shall be held at the Chitimacha Tribal Center
5 unless the board, by majority vote, determines that meeting at such location is
6 impractical or that the center is otherwise unavailable for the meetings.

7 (5) Members of the board shall serve without compensation, but, if funds are
8 available for such purpose, may be reimbursed for expenses directly related to their
9 service on the board in accordance with state travel regulations established by the
10 division of administration.

11 C.(1) The board shall:

12 (a) Assess the impact natural processes and human activity are having on the
13 area.

14 (b) Advise the secretary on policies and projects that will preserve the
15 natural state and viability of the lakes and their environs and at the same time make
16 recreational enjoyment of the area available to more people.

17 (c) Evaluate the effectiveness of governmental policies and projects and
18 report to the secretary on any need for changes therein.

19 (d) Ensure that any decision of the board is consistent with the Basin Master
20 plan, the Annual Basin plan, and the master plan for coastal protection and
21 restoration for a sustainable coast.

22 (2) The board may commission studies and prepare reports relating to the
23 purpose for which it is created and may solicit, accept, and expend funds for such
24 purposes.

25 (3) Any project proposed by the board which may impact water quality or
26 water management in the Atchafalaya Basin, as defined by R.S. 30:2000.2, shall
27 comply with all requirements of R.S. 30:2000.11 for the approval of a water
28 management project for inclusion in the Annual Basin plan.

Section 2. R.S. 36:359(B) and 917 are hereby enacted to read as follows:

§359. Transfer of agencies and functions to Department of Natural Resources

* * *

B. The Lake Fausse Point and Grande Avoille Cove Advisory Board (R.S. 30:2000.13) is hereby placed within the Department of Natural Resources and shall exercise its powers, duties, functions, and responsibilities as provided in R.S. 36:917.

* * *

§917. Transfer, Lake Fausse Point and Grande Avoille Cove Advisory Board
The Lake Fausse Point and Grande Avoille Cove Advisory Board is placed within the Department of Natural Resources and shall exercise its powers, duties, functions, and responsibilities as provided in this Part. In addition the board may solicit, receive, and expend funds as authorized by law.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Sam Jones

HB No. 162

Abstract: Creates the Lake Fausse Point and Grand Avoille Cove Advisory Board to advise the secretary of the Dept. of Natural Resources on matters pertaining to the preservation of the Lake Fausse Point and Grand Avoille Cove area and to the development of recreational opportunities in the area.

Proposed law creates the Lake Fausse Point and Grand Avoille Cove Advisory Board to advise the secretary of the Dept. of Natural Resources on matters pertaining to the preservation of the Lake Fausse Point and Grand Avoille Cove area and to the development of recreational opportunities in the area. (This area is on the edge of the Atchafalaya Basin in St. Mary and Iberia parishes.) Proposed law requires the board to:

- (1) Assess the impact natural processes and human activity are having on the area.
- (2) Advise the secretary on policies and projects that will preserve the natural state of the area and make recreational enjoyment of the area available to more people.
- (3) Evaluate the effectiveness of governmental policies and projects and report to the secretary on any need for changes therein.
- (4) Ensure that decisions of the board are consistent with the Atchafalaya Basin Master Plan, Annual plan, and the master plan for coastal protection and restoration.

Authorizes the board to commission studies and prepare reports relating to the purpose for which it is created and may solicit, accept, and expend funds for such purposes.

Requires that any project proposed by the board which may impact the water quality or management in the Atchafalaya Basin follow the procedures required for water management projects to be included in the Atchafalaya Basin annual plan.

Proposed law provides that the board is comprised as follows:

- (1) La. House of Representatives members representing Districts 49 and 50 and La. Senate members representing districts 21 and 22 or their designees.
- (2) Those legislators shall also appoint one commercial fisherman and one person from a list of three nominations submitted by the local chapter of Ducks Unlimited.
- (3) Two members of the Chitimacha Tribe appointed by the governing authority of the tribe.
- (4) One member appointed by the mayor of Baldwin subject to confirmation by the governing authority of Baldwin.
- (5) One member appointed by the mayor of Jeanerette subject to confirmation by the governing authority of Jeanerette.
- (6) The member of the St. Mary Parish governing authority representing Council District Number 1 or his designee and the member of the Iberia Parish governing authority representing Council District Number 11 or his designee.
- (7) The Eagle Point Park Committee shall appoint two of its members to serve on the board.
- (8) The governing authority of the St. Mary Parish Consolidated Water and Sewer District of Charenton shall appoint one of its members to serve on the board.
- (9) The lieutenant governor, the secretary of the Department of Wildlife and Fisheries, and the secretary of the Department of Natural Resources may each designate an individual to serve as a nonvoting member of the board.

Proposed law provides that appointed members serve terms concurrent with the respective appointing authority. Provides for meetings of the board and requires that meetings be held at the Chitimacha Tribal Center unless the board determines that the center is impractical or unavailable.

(Adds R.S. 30:2000.13 and R.S. 36:359(B) and 917)

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Natural Resources and Environment to the original bill.

1. Requires the board to ensure that decisions of the board are consistent with the Atchafalaya Basin Master Plan, Annual plan, and the master plan for coastal protection and restoration.
2. Requires that any project proposed by the board which may impact the water quality or management in the Atchafalaya Basin follow the procedures required for water management projects to be included in the Atchafalaya Basin annual plan.

House Floor Amendments to the engrossed bill.

1. Authorizes the secretary of WL&F to appoint a nonvoting member to the board.